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Entered on Docket
August 31, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

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6 **WILDE & ASSOCIATES**

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10 Las Vegas, Nevada 89107
11 Telephone: 702 258-8200
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13 The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan
14 Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns
15 ALT-A Trust 2005-4, Mortgage Pass-Through Certificates, Series 2005-4
16 09-72058

17 **UNITED STATES BANKRUPTCY COURT**
18 **DISTRICT OF NEVADA**

19 In Re:

20 Juan Gonzalez and Adrienne Gonzalez

21 Debtors.

22 BK-S-09-14668-bam

23 MS Motion No.

24 Date:

25 Time:

26 Chapter 13

27 **AMENDED ORDER RE: ADEQUATE PROTECTION**

28 Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing
29 in the above-entitled Court, all appearances as noted on court record, and based upon all the
30 papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
 2 post-petition arrearages currently due as follows:

1 Monthly Payments at \$1,638.23 (March 1, 2010 - March 1, 2010)	\$1,638.23
2 Monthly Payments(s) at \$1,261.78 (April 1, 2010 - May 1, 2010)	\$2,523.56
2 Monthly Payments at \$1,328.71 (June 1, 2010 - July 1, 2010)	\$2,657.42
4 Late Charge(s) at \$72.69 (March 1, 2010 - June 1, 2010)	\$290.76
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$750.00
Suspense Amount	(\$2,523.56)
Total	\$5,486.41

10 The total arrearage shall be paid in six monthly installments. Payments one
 11 through five (1-5) in the amount of \$914.41 shall be in addition to the regular monthly payment
 12 and shall be due on or before the 20th day of the month commencing with the August 20, 2010
 13 payment and continuing throughout and concluding on or before December 20, 2010. The sixth
 14 final payment in the amount of \$914.36 shall be paid on or before January 20, 2011.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
 16 shall give Debtors at least five business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
 18 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
 19 beginning with the , payment, on Secured Creditor's Trust obligation, encumbering the subject
 20 Property, generally described as 3354 Mountain Bluebird St. , Las Vegas, NV 89117, and legally
 21 described as follows:

22 Lot Two Hundred Thirty-Four (234) in Block "E" of LEWIS HOMES - PINERIDGE
 23 CROSSING NO. 43, as shown by Map thereof on file in Book 65 of Plats, page 84, in the
 24 office of the County Recorder of Clark County, Nevada.

25 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
 26 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth

1 (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this
2 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may
3 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
4 State Law, and take any action necessary to obtain complete possession thereof.

5
6 Submitted by:

7 WILDE & ASSOCIATES

8 By G. Wilde #10235
9 GREGORY L. WILDE, ESQ.
10 Attorneys for Secured Creditor
11 212 South Jones Boulevard
12 Las Vegas, Nevada 89107

13 APPROVED AS TO FORM & CONTENT:

14 Kathleen A. Leavitt
15 By _____
16 Kathleen A. Leavitt
17 Chapter 13 Trustee
18 201 Las Vegas Blvd. So., #200
19 Las Vegas, NV 89101

20 Randolph Goldberg
21 By _____
22 Randolph Goldberg
23 Attorney for Debtors
24 4000 S. Eastern Ave., #200
25 Las Vegas, NV 89119
26

27 Nevada Bar No. _____

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
 2 reflects the court's ruling and that (check one):

3 The court has waived the requirements set forth in LR 9021(b)(1).
 4 No party appeared at the hearing or filed an objection to the motion.
 5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
 6 any unrepresented parties who appeared at the hearing, and each has approved or
 7 disapproved the order, or failed to respond, as indicated below [list each property and
 8 whether the party has approved, disapproved, or failed to respond to the document]:

9 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
 10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
 11 order.

12 Debtor's counsel:

13 approved the form of this order disapproved the form of this order
 14 waived the right to review the order and/or failed to respond to the document
 15 appeared at the hearing, waived the right to review the order
 16 matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 approved the form of this order disapproved the form of this order
 19 waived the right to review the order and/or failed to respond to the document

20 This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
 21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
 22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
 23 respond, as indicated below.

24 Debtor's counsel:

25 approved the form of this order disapproved the form of this order
 26 waived the right to review the order and/or failed to respond to the document
 27 appeared at the hearing, waived the right to review the order
 28 matter unopposed, did not appear at the hearing, waived the right to review the order

29 Trustee:

30 approved the form of this order disapproved the form of this order
 31 waived the right to review the order and/or failed to respond to the document

32 I certify that I have served a copy of this order with the motion, and no parties appeared or filed
 33 written objection.

34 Submitted by:

35 /s/ Gregory L. Wilde, Esq.

36 Gregory L. Wilde, Esq.
 37 Attorney for Secured Creditor